

**FILED**

JUN 02 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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6  
7 UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9 SAN FRANCISCO DIVISION

10  
11 JASON O. WATSON, an individual,

12 Plaintiff,

13 vs.

14  
15 CAPT. ROLLIN R. HEASSLER, an individual,

16 Defendant.

Civil Action No.: CV-08-01851 JCS

**STIPULATION TO SET ASIDE DEFAULT  
AND ~~[PROPOSED]~~ ORDER  
[FRCP 55(c)]**

Hearing Date: Friday, June 27, 2008  
Time: 9:30 a.m.  
Courtroom: A, 15<sup>th</sup> Floor

Hon. Magistrate Judge Joseph C. Spero

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18  
19 **STIPULATION**

20 Plaintiff JASON O. WATSON ("Plaintiff"), by and through his attorneys of record, and  
21 Defendant Captain ROLLIN R. HEASSLER ("Defendant"), by and through his attorney of record,  
22 (collectively, the "Parties") HEREBY STIPULATE AS FOLLOWS:

23 WHEREAS, Plaintiff served Defendant with the complaint in this matter on or about April  
24 8, 2008;

25 WHEREAS, as an officer and employee of the United States Army, Defendant believed he  
26 had sixty (60) days to respond to the Complaint, as indicated by the Summons;

27 WHEREAS, Defendant promptly took steps to register as an ECF electronic filer in order  
28 to file a response in this matter;

**STIPULATION TO SET ASIDE DEFAULT AND ~~[PROPOSED]~~ ORDER [FRCP 55(c)]**

1 WHEREAS, the clerk entered a default in this matter on Thursday, May 15, 2008;

2 WHEREAS, Defendant filed a Motion for Relief from Default on Tuesday, May 20, 2008,  
3 and a hearing on said motion is presently scheduled for June 27, 2008.

4 IT IS HEREBY STIPULATED that:

- 5 1. The default entered by the clerk in this matter may be set aside and Defendant shall  
6 be permitted to file a response in this action;
- 7 2. That Defendant shall have twenty (20) days from the entry of the Order setting  
8 aside the default to file his response;
- 9 3. The pending Motion to Set Aside Default shall be taken off calendar, and each  
10 party shall bear their own costs.

11 IT IS SO STIPULATED.

12 Dated: June 2, 2008

THE MORALES LAW FIRM

13  
14 By: 

DAVID MORALES, ESQ.  
Attorney for Defendant Capt. Heassler

15  
16 Dated: June 2, 2008

BUCKLEY BROWN, P.C.

17  
18 By: 

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23 Attorneys for Plaintiff Jason Watson  
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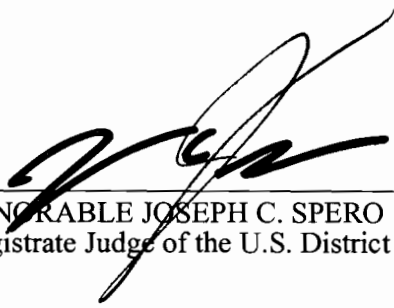
STIPULATION TO SET ASIDE DEFAULT AND ~~PROPOSED~~ ORDER [FRCP 55(c)]  
Case No.: CV-08-01851 JCS

**PROPOSED ORDER**

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the default entered by the clerk in this matter be set aside. IT IS FURTHER ORDERED that Defendant shall have twenty (20) days from the entry of this Order to file his response. IT IS FURTHER ORDERED that the pending Motion to Set Aside Default shall be taken off calendar, and each party shall bear their own costs.

IT IS SO ORDERED.

Dated: June 3, 2008



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HONORABLE JOSEPH C. SPERO  
Magistrate Judge of the U.S. District Court